IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 6523 of 2005

Between:

Panthagani Swamydasu, S/o. Late Devadanam,
R/o. D.No.8-167, harijanapet, 5th Ward, Janareddygudem,
Jagareddygudem Mandal, W.G.District A.P. India.

..... PETITIONER

AND

1 The Executive Officer-cum-Village Secretary, jangareddygudem Gram Panchayat, Jangareddygudem Mandal, W.G.District, A.P. India.

2 The District Panchayat Officer, Eluru, W.G.District, A.P. India.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a writ, direction or order, especially one in the nature of writ of Mandamus, directing the 1st respondent not to lay any road in the petitioners private site situated in 5th ward of Jangareddygudem Gram panchayat within the boundaries East: Petitioner's sons pl: South Petitioner's house and site and ganji Peda Lakshmaiahs House and site: west: Road Left by the Plaintiff: North: the petitioner's house and site, pending disposal of the Civil Suit O.S.No.955 of 2001 on the file of the Court of the Principal Junior Civil Judge, Kovvur and pass such other order or orders.

Counsel for the Petitioner: MR.POTHULA.SURYANARAYANA REDDY

Counsel for the Respondent No.1: MR.DANTU SRINIVAS

Counsel for the Respondent No.2: G.P. for Panchayat Raj.

This Court at the admission stage made the following :

O R D E R:

As can be seen from the material on record, a civil suit-O.S.No.955 of 2001 is pending on the file of the Principal Junior Civil Judge, Kovvur, for the same relief. Hence, this writ petition under Article 226 of the Constitution of India is not maintainable and the same is liable to be dismissed.

The writ petition is accordingly dismissed. No costs.

(G. ROHINI, J)

Date:28-03-2005

ghn

To

1 The Executive Officer-cum-Village Secretary, jangareddygudem Gram Panchayat, Jangareddygudem Mandal, W.G.District, A.P. India.

2 The District Panchayat Officer, Eluru, W.G.District, A.P. India.

3 Two CCs to the Government Pleader for Panchayat Raj, High Court Buildings, Hyderabad. (O.U.T.).

4 Two CD copies.